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MAILED

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OFFICE OF PETITIONS

In re Application of
David Cantanzaro
Application No. 09/505,791
Filed: February 17, 2000
Attorney Docket No. None

DECISION ON PETITION

This is a decision on the second renewed petition under 37 CFR 1.137(b), filed September 28, 2009 to revive the above-identified design application.

The second renewed petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue fee on or before January 7, 2002, as required by the Notice of Allowance and Fee(s) Due mailed October 5, 2001 which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on January 8, 2002. A Notice of Abandonment was mailed October 28, 2002.

On July 1, 2008, a petition under 37 CFR 1.137(b) was filed; consequently, the petition was dismissed in a decision mailed August 27, 2008. The first renewed petition was filed October 8, 2008; again, the first renewed petition was dismissed in a decision mailed September 9, 2009, asking the petitioner to provide additional information in showing that the entire delay in filing the required reply was unintentional. In response, the present second renewed petition was filed.

The second renewed petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$720, (2) the petition fee of \$770, and (3) an adequate statement of unintentional delay. Accordingly, the failure to timely submit the issue fee as required by the Notice of Allowance is accepted as being unintentionally delayed.

Petitioner is reminded that confidential information for example, such as a social security number and so forth should be redacted from any documents submitted to the Office to avoid publication or availability to the public thereof.

Telephone inquiries concerning this decision should be directed to Alicia Kelley at (571)272-6059.


Brian Brown
Petitions Examiner
Office of Petitions